REMARKS

In response to the non-final office action of September 7, 2005, applicant asks that all claims be allowed in view of the amendment to the claims and the following remarks.

Claims 1-11, 14, 15, 19-24 and 28-55 are now pending, of which claims 1, 14, 20, 21 and 44 are independent. Claims 1, 2, 3, 5, 8, 10, 14, 15, 19-23 and 44 have been amended, claim 55 has been added, and claims 13, 16, 18 and 25-27 have been cancelled in this amendment. No new matter is introduced by the present amendment. Support for these amendments may be found in the application at, for example, page 6, lines 18-29. Support for new claim 55 may be found in the application at, for example, page 2, line 28 to page 3, line 15.

Applicant would like to thank Examiner Huynh and Examiner Hong for the courtesies extended to applicant's representative during the personal interview conducted on January 12, 2006. As reflected by the Interview Summary (see copy of PTOL-413 form attached to this amendment), the Examiners and applicant's representative discussed claims 1, 13, 14, 20, 21 and 44 in comparison with Furst (U.S. Patent No. 6,297,819) and Bertram (U.S. Patent No. 5,818,446).

Claim Rejection – Under 35 U.S.C. § 112, Second Paragraph

Claims 2-4, 6-10, 16, 18, 19, 53 and 54 have been rejected under 35 U.S.C. § 112, second paragraph. See Office action of September 7, 2005 at page 2. Claims 2, 3, 8, 10and 19 have been amended and new claim 55 has been added to provide antecedent basis for claims 2-4, 8, 10, 16, 18, and 19, respectively. Claims 16 and 18 have been cancelled. The Office action asserts claims 6, 7, and 9 are rejected for fully incorporating the dependencies of its base claim. See Office action of September 7, 2005 at page 3. Claim 55 has been added to address the rejection of claims 6, 7, and 9. The Office action asserts claims 53 and 54 recite the new control element for which there is an insufficient antecedent bases. Applicant respectfully notes that each of claims 53 and 54 depend from claim 21, which recites adding a new control element to the chrome being displayed.

Therefore, for at least these reasons, applicant respectfully requests reconsideration and withdrawal of the rejections of claims 2-4, 6-10, 19, 53 and 54.

Claims Rejection – under 35 U.S.C. § 103(a)

1. Rejection of Claims 1, 9, 14, 20, 21, 28-43 and 49-54

Claims 1, 9, 14, 20, 21, 28-43 and 49-54[1] have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Bertram in view of Hoyle (U.S. Patent No. 6,141,010) and Furst. See Office action of September 7, 2005 at page 4. Applicant requests reconsideration and withdrawal of the rejection because neither Bertram, Hoyle, Furst, nor any proper combination of the references, describes or suggests the subject matter of independent claims 1, 14, 20 and 21.[2]

a. Claims 1, 9, 28-31, 49 and 50

Independent claim 1 is directed to a web browser that, inter alia, adds a new control element to the chrome being displayed on a chrome portion of a browser display while maintaining at least one element of the chrome that was displayed prior to the addition of the new control element. The new control element is (1) configured in response to the current web site being rendered (2) to invoke functionality related to functionality offered by the current web site being rendered (emphasis added).

Applicant requests reconsideration and withdrawal of the rejection to claim 1 because neither Bertram, Hoyle, Furst, nor any combination of the references describes or suggests a web browser program configured to supplement chrome of a browser in response to a current web site being rendered with a control element that is configured to invoke functionality related to functionality offered by the current web site being rendered while maintaining at least one element of the chrome that was displayed prior to the addition of the new element.

The Office action appears to rely on the newly cited Furst reference as disclosing a process for supplementing the chrome of a browser with a web-site specific control element. See Office action of September 7, 2005 at page 6, lines 12-15. For this reason, we begin by addressing Furst.

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[1] Applicant understands claims 49-54 have been rejected although claims 49-54 were not identified in the rejection statement on page 4 of the Office action. Applicant's understanding is based on textual rejection for claims 49-54 on page 13 of the Office action.

[2] The Office action naturally does not address the amended portions of independent claims 1, 14, 20 and 21.

Furst discloses techniques for creating "web pages that parallel or shadow actual web pages" displayed in response to browsing requests as a user browses web sites. See Furst at col. 4, lines 65-67 and col. 5, lines 42-46. To do so, Furst discloses "a browser-aware application delivery system" that "operates like a monitor for a user while the user is browsing the web, and enables the user to obtain and interact with context-sensitive services and information based on the user's browsing activity." See Furst at col. 1, lines 57-58 and 63-67. Furst's application delivery system allows a user to select and enable component applications whose functionality becomes available to the user through a client program running on the user's computer system. See Furst at col. 2, lines 18-30.

Notably, Furst's application delivery system is premised on a client program that is separate from the web browser operating on the user's computer. See Furst at Fig. 1 (showing user's computer 120 having a web browser 122 and a system client 124, where the tool bar 114 of Furst's application delivery system is separate from the web browser window 112) and col. 4, lines 16-21. As a consequence, Furst does not add a new control element to the chrome portion of a browser, as recited by claim 1. Moreover, Furst discloses that "[a]s is well known, the web browser operates to display, in response to user input, web pages in one or more windows 112 on a display device 110 coupled to the user's computer 120." See Furst at col. 4, lines 22-26. Furst discloses that the client 124 is "essentially a thin shell for an embedded web browser, whose function is to display web pages sent by the [application delivery system] or by component application tools." See Furst at col. 4, lines 63-65. As shown in Figure 2, Furst's client 124 displays web pages in parallel with web pages displayed by the web browser 122, which are based on the user's web browsing. See Furst at Figure 2 and col. 5, lines 41-11. Furst's client 124 displays the tool bar, which serves as a user interface to the application delivery system, and "web pages created by or for component application tools in windows 116 on the display device 110." See Furst at col. 4, lines 22-28 and 38-40.

For the position that Furst teaches "adding new control elements into a web browser window, wherein new control elements is configured in response to the current web site being rendered to invoke functionality related to functionality offered by the current web site being rendered," the Office action cites several sections of Furst's disclosure. See Office action of

September 7, 2005 at page 6, lines 12-15 (citing col. 1, lines 59-67; col. 7, lines 36-48; and col. 12, line 66 to col. 13, line 15). Below, applicant addresses the failure of each cited section of Furst to meet the claimed addition of a new control element to the chrome being displayed on the chrome portion of the browser display, as recited in amended claim 1.

With regard to column 1, lines 56-67, Furst discloses that the application delivery system "provides browser extensions that are based on server processes" and enables the user to "obtain and interact with context-sensitive services and information based on the user's browsing activity." As such, Furst, in this portion, discloses browser extensions. As noted above, none of Furst's browser extensions include adding a new control element to the chrome being displayed on the chrome portion of the browser display while maintaining at least one control element of the chrome that was displayed prior to the addition of the new control element, where the new control element is configured in response to the current web site being rendered to invoke functionality related to functionality offered by the current web site being rendered, as recited in amended claim 1.

In column 7, lines 36-48, Furst describes the ability for third party application providers to register an application to be added to Furst's application delivery system. In particular, Furst discloses that the "[s]ystem allows third parties to add new applications [to the system] easily." See Furst at col. 7, lines 36-37. A third party registers a new application tool with the system by "providing to the [s]ystem a registration link to a registration page, which is generally on a third-party server." See Furst at col. 8, lines 37-41. The registration page includes "a tool icon to be displayed by the client on the bar; [and] (optional) an animated tool icon to be displayed by the client on the bar." See Furst at col. 8, lines 46-50. Thus, the user may activate the application tool by clicking on its icon on the bar. See Furst at col. 7, lines 50-54. As a result, the application "tool provides a reaction such as displayable output... to a [s]ystem ... which forwards it to the user's client for display." See Furst at col. 7, lines 58-62. Notably, Furst discloses that tool icon and the optional animated tool icon to be displayed in the tool bar by the client program are identified during the application registration process.

Accordingly, this portion does not describe or suggest a web browser program configured to add a new control element to the chrome being displayed on a chrome portion of the browser

display, where the new control element is (1) configured in response to the current web site being rendered (2) to invoke functionality related to functionality offered by the current web site being rendered, as recited in amended claim 1.

With regard to the cited portion of columns 12 and 13, Furst describes a retail registry application which "enables users to register for gifts at retail sites." To register for a gift, "a member clicks on the registry icon on the bar when the context is a web page corresponding to or displaying the desired gift." See col. 12, line 12 – col. 13, line 2. Furthermore, "[t]o view the registry, a user opens the tool and enters a screen name or other information to identify the registered member." See Furst at col. 13, lines 5-7. The tool displays a page containing links in the client browser window and the user uses the links to navigate to manufactures' site. See Furst at col. 13, lines 7-9. As a result, the manufacture's site is displayed in the browser window and becomes "the active web browser window so that the target site becomes the current context and other active tools can respond to the site." See Furst at col. 13, lines 5-13.

As such, Furst, in columns 12 and 13, discloses a process for allowing the user to use a specific application (e.g., retail registry application) by clicking on a particular icon on the tool bar. Accordingly, this portion of Furst does not describe or suggest a web browser program configured to add a new control element to the chrome being displayed on a chrome portion of the browser display, where the new control element is (1) configured in response to the current web site being rendered (2) to invoke functionality related to functionality offered by the current web site being rendered, as recited in amended claim 1.

Accordingly, Furst, in the portions cited by the Office action or anywhere else, does not describe or suggest a web browser program configured to add a new control element to the chrome being displayed on a chrome portion of the browser display, where the new control element is (1) configured in response to the current web site being rendered (2) to invoke functionality related to functionality offered by the current web site being rendered, as recited in amended claim 1.

In addition to the sections cited by the Office action, applicant notes that the disclosure of Furst includes Tables A-E, which show example interactions, pages and messages that can arise during use of the application delivery system. See Furst at col. 14, line 10 to col. 33, line 14.

Table A provides illustrative user-system interactions for the basic service provided by the application delivery system. See Furst at col.14, lines 13-14 and col. 16, line 35 to col. 23, line 11. In one illustrative interaction that is triggered when a user launches the web browser, the interaction helps to ensure that an up-to-date tool bar (rather than an error message) is presented for the opened web browser window. See Furst at col.16, lines 39-45 (describing the overview of the interaction as including the interaction trigger of launching the web browser, the precondition of the client program is running, a success end condition in which the user "views the bar, which is updated for every URL member browses to," and a failed end condition in which the "[b]ar displays an error message."). Notably, Furst's description of the step 3 of the main flow of that interaction states "Service displays bar. Content of the bar depends on the specific tools being delivered by the Service." Furst at col. 16, lines 54-56. In Furst's description of branching actions of that interaction includes, in response to a user browsing to another URL by changing the URL of the user's current web browser window, the application delivery system "updates icons on bar with information or status that is current to the URL of the web browser window." See Furst at col. 17, lines 9-14. Notably, Furst discloses the updates are information or status. As such, Furst does not describe or suggest adding a new control element to the chrome being displayed on the chrome portion of the browser display, where the new control element is configured in response to the current web site being rendered to invoke functionality related to functionality offered by the current web site being rendered, as recited in amended claim 1. Moreover, Furst states the "[b]ar is visible for current open web browser window only." See Furst at col. 17, lines 17-18. As such, Furst teaches away from adding a new control element to the chrome being displayed on the chrome portion of the browser display while maintaining at least one control element of the chrome that was displayed prior to the addition of the new control element, as recited in amended claim 1.

Further, the tool bar 114 of Furst's application delivery system is separate from the web browser window 112 and from the application tool page 116. See Furst at Fig. 1. Claim 1 recites a content portion of a browser display as well as a chrome portion of the browser display. Thus, Furst's tool bar cannot meet the limitations of claim 1 requiring a content portion and a chrome portion of the browser display.

For at least the reasons described above, Furst does not describe or suggest a web browser program configured to add a new control element to the chrome being displayed on a chrome portion of the browser display, where the new control element is (1) configured in response to the current web site being rendered (2) to invoke functionality related to functionality offered by the current web site being rendered, as recited in amended claim 1.

Similarly, Bertram fails to disclose a web browser program configured to add a new control element to the chrome being displayed on a chrome portion of the browser display, where the new control element is (1) configured in response to the current web site being rendered (2) to invoke functionality related to functionality offered by the current web site being rendered, as recited in claim 1. The Office action indicates that Bertram does not explicitly disclose a new control element that is configured in response to the current web site being rendered to invoke functionality offered by the current web site being rendered, and applicant has previously addressesed the shortcomings of Bertram in this regard. See Office action of September 7, 2005 at page 6. See, e.g., reply filed March 17, 2005 to Office action of December 17, 2004.

As described in previously provided comments, Hoyle does not remedy the aforementioned shortcomings of Furst and Bertram. Hoyle also fails to disclose a web browser program configured to add a new control element to the chrome being displayed on a chrome portion of the browser display, where the new control element is (1) configured in response to the current web site being rendered (2) to invoke functionality related to functionality offered by the current web site being rendered, as recited in claim 1. See, e.g., reply filed March 17, 2005 to Office action of December 17, 2004.

In view of the foregoing, applicant submits that neither Bertram, Hoyle, Furst, nor any proper combination of these references, describes or suggests a web browser program configured to add a new control element to the chrome being displayed on a chrome portion of the browser display, where the new control element is (1) configured in response to the current web site being rendered (2) to invoke functionality related to functionality offered by the current web site being rendered, as recited in amended claim 1. It is for at least this reason that applicant requests reconsideration and withdrawal of the rejection of claim 1.

Claims 9, 28-31, 49 and 50 depend on claim 1. Thus, for at least the reasons noted above with respect to independent claim 1, applicant requests reconsideration and withdrawal of the rejection of claims 9, 28-31, 49 and 50.

b. Claims 14 and 32-35

Claim 14 is directed to a web browser that, inter alia, displays chrome on the chrome portion of the browser display such that the chrome is based on a chrome specifier corresponding to the current web site being rendered when a chrome specifier is associated with functionality offered by the current web site. The chrome returns to a default chrome when a chrome specifier is not associated with the functionality offered by the current web site. As such, the display of the chrome on the chrome portion of the browser display is triggered by navigation to the current web site, and the removal of the chrome from the chrome portion of browser display is triggered by navigation from the web site to a different web site. As described above, Bertram, Hoyle, or Furst, alone or in the proposed combination, do not describe or suggest a web browser where the chrome being displayed on the chrome portion of the browser returns to a default chrome when a chrome specifier is not associated with the functionality offered by the current web site, as recited in amended claim 14.

For at least this reason, applicant requests reconsideration and withdrawal of the rejection of claim 14 and claims 32-35, which depend on amended claim 14.

c. Claims 20, 36-39 and 51-53

Independent claim 20 is directed to a web browser program that, inter alia, modifies less than all of the control elements on the chrome being displayed on the chrome portion of the browser display and at least one of the modified control elements is configured to invoke functionality related to the current web site being rendered. Claim 20 also recites that the configuration of the at least one control element is triggered upon navigation to a destination that has functionality related to the functionality invoked thorough interaction with the at least one control element.

As described previously with respect to claim 1, Bertram replaces all of the control elements. Thus, Bertram does not disclose modifying less than all of the control elements on the chrome. As described above, Hoyle does not disclose customizing a chrome with control elements that invoke functionality related to the functionality offered by a web site currently being accessed. Hence, Hoyle cannot describe or suggest modifying less than all of the control elements on the chrome and at least one of the modified control elements is configured to invoke functionality related to the current web site being rendered, as recited in claim 20. As described above, Furst discloses an application delivery system for creating web pages that parallel actual web pages displayed in response to browsing requests as a user browses web sites. Furst also discloses a tool bar, which represents the application delivery system and any component application enabled by the user. As such, and as described above, Furst does not describe or suggest a web browser program configured to modify less than all of the control elements on the chrome being displayed on the chrome portion of the browser display and at least one of the modified control elements is configured to invoke functionality related to the current web site being rendered wherein the configuration is triggered upon navigation to a destination that has functionality related to functionality invoked through interaction with the at least one control element, as recited in claim 20.

Therefore, Bertram, Hoyle, Furst, alone or in the proposed combination, do not describe or suggest the subject matter of amended claim 20. For at least this reason, applicant requests reconsideration and withdrawal of the rejection of claim 20 and claims 36-39 and 51-53, which depend on claim 20.

d. Claims 21, 40-43 and 54

As amended, independent claim 21 is directed to a computer-implemented method for reconfiguring chrome of a user interface to a web browser program and recites, inter alia, adding a new control element to the chrome being displayed on the chrome portion of the browser display while maintaining at least one element of the chrome that was displayed prior to the addition of the new control element. The new control element is configured in response to the

current web site being rendered to invoke functionality related to functionality offered by the current web site being rendered.

As discussed above with respect to claim 1, neither Bertram, Hoyle, Furst, nor any proper combination of the references describes or suggests adding a new control element to the chrome being displayed on the chrome portion of the browser display while maintaining at least one element of the chrome that was displayed prior to the addition of the new control element, wherein the new control element is configured in response to the current web site being rendered to invoke functionality related to functionality offered by the current web site being rendered. Because Bertram, Hoyle, Furst, or any combination of the references, do not describe or suggest the subject matter of claim 21, applicant requests reconsideration and withdrawal of the rejection of claim 21 and claims 40-43 and 54, which depend on claim 21.

2. Rejection of Claims 3, 8, 10, 11, 19 and 22-24

Claims 3, 8, 10, 11, , 19, and 22-24 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Bertram in view of Hoyle, Furst, and "Alexa Internet and Netscape Team to Provide Related Sites To Support Smart Browsing" (hereinafter "Alexa"). See Office action of September 7, 2005 at page 14. Applicant request reconsideration and withdrawal of the rejection because Alexa does not remedy the failure of Bertram, Hoyle, and Furst, alone or in combination, to describe or suggest the subject matter of independent claims 1, 14, and 21, from which claims 3, 8, 10, 11, 19 and 22-24 respectively depend.

Claims 3, 8, 10, 11, 19 and 22-24 each depend directly or indirectly from independent claims 1, 14 and 21, respectively. Alexa, which is cited in the Office action for teaching "related information designators received from related information servers," does not remedy the failure of Bertram, Hoyle, Furst, or any proper combination of the references, to describe or suggest the subject matter of the independent claims. Nor does the Office action contend that Alexa does so.

For at least these reasons, applicant requests reconsideration and withdrawal of the rejection of claims 3, 8, 10, 11, 19 and 22-24.

3. Rejection of Claims 44-48

Claims 44-48 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Bertram in view of Furst. See Office action of September 7, 2005 at page 21. Independent claim 44 is directed to a method for partially customizing chrome displayed as part of a user interface by adding a control element configured to enable selection of new functionality that is related to a current web resource being accessed. The method includes, inter alia, presenting on a chrome portion of a browser display, in addition to at least some of the set of selectable chrome elements, an additional selectable chrome element that is related to functionality offered by the web resource being accessed. The method also includes detecting navigation by the web browsing application to a first web resource and, in response to detected navigation to the first web resource, presenting on the chrome portion of the browser display, in addition to at least some of the set of selectable chrome elements, an additional and new selectable chrome element that is related to functionality offered by the first web resource being accessed. The method also includes detecting navigation by the web browsing application to a second web resource and, in response to detected navigation by the web browsing application to a second web resource, removing the additional and new selectable chrome element that is related to functionality offered by the first web resource.

As described previously with respect to claim 1, neither Bertram nor Furst, or any proper combination of the references, describes or suggests presenting on the chrome portion of the browser display, in addition to at least some of the set of selectable chrome elements, an additional selectable chrome element that is related to functionality offered by the web resource being accessed and removing the chrome element upon detecting navigation to a second web resource, as recited in amended claim 44. For at least this reason, applicant requests reconsideration and withdrawal of the rejection of claim 44 and claims 45-48, which depend on claim 44.

4. Rejection of Claims 2, 4 and 5-7

Claims 2, 4 and 5-7 each depend directly or indirectly from independent claim 1.

Claim 2 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over Bertram in view of Hoyle, Furst, and Miller, "An Introduction to the Resource Description Framework," D-Lib Magazine, May 1998, pages 1-12 (hereinafter, "Miller"). See Office action of September 7, 2005 at page 23.

Claim 4 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over Bertram in view of Hoyle, Alexa, Furst, and Peyer (U.S. Patent No. 6,188,401). See Office action of September 7, 2005 at page 24.

Claims 5-7 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Bertram in view of Hoyle, Furst, and Brown, "Using Netscape 2" published by Que Corporation 1995, page 74 (hereinafter, "Brown"). See Office action of September 7, 2005 at page 25.

None of Miller, Peyer or Brown remedy the failure of Alexa, Hoyle, Bertram, and Furst, alone or in combination, to describe or suggest the subject matter of claim 1. Therefore, neither Bertram, Hoyle, Alexa, Furst, Miller, Peyer, Brown, nor any combination of the references, describe or suggest the subject matter of claim 1. For at least these reasons, applicant requests reconsideration and withdrawal of the rejections of claims 2, 4 and 5-7, which depend directly or indirectly from claim 1.

5. Rejection of Claims 13 and 25-27 under 35 U.S.C. § 103

Claim 13 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over Bertram in view of Hoyle and Furst as applied to claim 1 and in further view of Hetherington (U.S. Patent No. 6,396,515). See Office action of September 7, 2005 at page 26. Claims 13 and 25-27 have cancelled, which renders the rejection moot.

6. Rejection of Claim 18

Claim 18, which depends from claim 13, has been rejected under 35 U.S.C. § 103(a) as being unpatentable over Bertram in view of Hoyle, Furst and Hetherington as applied to claim 13 and in further view of Alexa. Claim 18 has been cancelled, which renders the rejection moot.

7. Rejection of Claim 15

Claim 15, which depends from claim 1, has been rejected as being unpatentable over Bertram in view of Hoyle and Furst and in further view of "Ad on the Bar Campaign Supplements Alexa's Focused Advertising Program," http://www.alexa.com/press/press_releases/ad.html, pages 1-3, published 12/10/1997 (hereinafter, "Alexa 2"). See Office action of September 7, 2005 at page 30. Alexa 2 discloses the display of advertisements on a toolbar. As such, Alexa 2 does not remedy the failure of Bertram, Hoyle and Furst to describe or suggest the subject matter of independent claim 1. Nor does the Office action contend that Alexa 2 does so.

For at least these reasons, applicant requests reconsideration and withdrawal of the rejection to claim 15.

8. New Claim 55

Claim 55 depends from independent claim 1. At least for the reason of that dependency and the reasons noted above with independent claim 1, applicant submits that claim 55 is allowable.

Conclusion

It is believed that all of the pending issues have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this reply should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this reply, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

Applicant submits that all claims are in condition for allowance.

Pursuant to 37 CFR §1.136, applicant hereby petitions that the period for response to the action dated September 7, 2005, be extended for two months to and including February 7, 2006.

The fee in the amount of $450.00 in payment of the Petition for Extension of Time fee is being paid concurrently herewith on the Electronic Filing System (EFS) by way of Deposit Account authorization. Please apply any other charges or credits to Deposit Account No. 06-1050.

Please apply any other charges or credits to deposit account 06-1050.

Respectfully submitted,

Date: February 6, 2006

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EXAMINER	
HUYNH, THU V	
ART UNIT	**PAPER NUMBER**
2178	

DATE MAILED: 01/17/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Interview Summary	Application No.	Applicant(s)	
	09/208,805	HYATT ET AL.	
	Examiner	Art Unit	
	Thu V. Huynh	2178	

All participants (applicant, applicant's representative, PTO personnel):

(1) *Thu V. Huynh (Examiner)*. (3)*Barbara A. Benoit (applicants' representative)*.

(2) *Stephen Hong (SPE)*. (4)_____.

Date of Interview: *12 January 2006*.

Type: a)☐ Telephonic b)☐ Video Conference
c)☐ Personal [copy given to: 1)☐ applicant 2)☒ applicant's representative]

Exhibit shown or demonstration conducted: d)☐ Yes e)☒ No.
If Yes, brief description: _____.

Claim(s) discussed: *1,13,14,20,21 and 44*.

Identification of prior art discussed: *Bertram et al. and Furst*.

Agreement with respect to the claims f)☐ was reached. g)☒ was not reached. h)☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: *We have discussed the differences between the prior arts and the application*.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

Examiner's signature, if required

Summary of Record of Interview Requirements

Manual of Patent Examining Procedure (MPEP), Section 713.04, Substance of Interview Must be Made of Record
A complete written statement as to the substance of any face-to-face, video conference, or telephone interview with regard to an application must be made of record in the application whether or not an agreement with the examiner was reached at the interview.

Title 37 Code of Federal Regulations (CFR) § 1.133 Interviews
Paragraph (b)
In every instance where reconsideration is requested in view of an interview with an examiner, a complete written statement of the reasons presented at the interview as warranting favorable action must be filed by the applicant. An interview does not remove the necessity for reply to Office action as specified in §§ 1.111, 1.135. (35 U.S.C. 132)

37 CFR §1.2 Business to be transacted in writing.
All business with the Patent or Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.

The action of the Patent and Trademark Office cannot be based exclusively on the written record in the Office if that record is itself incomplete through the failure to record the substance of interviews.

It is the responsibility of the applicant or the attorney or agent to make the substance of an interview of record in the application file, unless the examiner indicates he or she will do so. It is the examiner's responsibility to see that such a record is made and to correct material inaccuracies which bear directly on the question of patentability.

Examiners must complete an Interview Summary Form for each interview held where a matter of substance has been discussed during the interview by checking the appropriate boxes and filling in the blanks. Discussions regarding only procedural matters, directed solely to restriction requirements for which interview recordation is otherwise provided for in Section 812.01 of the Manual of Patent Examining Procedure, or pointing out typographical errors or unreadable script in Office actions or the like, are excluded from the interview recordation procedures below. Where the substance of an interview is completely recorded in an Examiners Amendment, no separate Interview Summary Record is required.

The Interview Summary Form shall be given an appropriate Paper No., placed in the right hand portion of the file, and listed on the "Contents" section of the file wrapper. In a personal interview, a duplicate of the Form is given to the applicant (or attorney or agent) at the conclusion of the interview. In the case of a telephone or video-conference interview, the copy is mailed to the applicant's correspondence address either with or prior to the next official communication. If additional correspondence from the examiner is not likely before an allowance or if other circumstances dictate, the Form should be mailed promptly after the interview rather than with the next official communication.

The Form provides for recordation of the following information:

- Application Number (Series Code and Serial Number)
- Name of applicant
- Name of examiner
- Date of interview
- Type of interview (telephonic, video-conference, or personal)
- Name of participant(s) (applicant, attorney or agent, examiner, other PTO personnel, etc.)
- An indication whether or not an exhibit was shown or a demonstration conducted
- An identification of the specific prior art discussed
- An indication whether an agreement was reached and if so, a description of the general nature of the agreement (may be by attachment of a copy of amendments or claims agreed as being allowable). Note: Agreement as to allowability is tentative and does not restrict further action by the examiner to the contrary.
- The signature of the examiner who conducted the interview (if Form is not an attachment to a signed Office action)

It is desirable that the examiner orally remind the applicant of his or her obligation to record the substance of the interview of each case. It should be noted, however, that the Interview Summary Form will not normally be considered a complete and proper recordation of the interview unless it includes, or is supplemented by the applicant or the examiner to include, all of the applicable items required below concerning the substance of the interview.

A complete and proper recordation of the substance of any interview should include at least the following applicable items:

1) A brief description of the nature of any exhibit shown or any demonstration conducted,
2) an identification of the claims discussed,
3) an identification of the specific prior art discussed,
4) an identification of the principal proposed amendments of a substantive nature discussed, unless these are already described on the Interview Summary Form completed by the Examiner,
5) a brief identification of the general thrust of the principal arguments presented to the examiner,
   (The identification of arguments need not be lengthy or elaborate. A verbatim or highly detailed description of the arguments is not required. The identification of the arguments is sufficient if the general nature or thrust of the principal arguments made to the examiner can be understood in the context of the application file. Of course, the applicant may desire to emphasize and fully describe those arguments which he or she feels were or might be persuasive to the examiner.)
6) a general indication of any other pertinent matters discussed, and
7) if appropriate, the general results or outcome of the interview unless already described in the Interview Summary Form completed by the examiner.

Examiners are expected to carefully review the applicant's record of the substance of an interview. If the record is not complete and accurate, the examiner will give the applicant an extendable one month time period to correct the record.

Examiner to Check for Accuracy

If the claims are allowable for other reasons of record, the examiner should send a letter setting forth the examiner's version of the statement attributed to him or her. If the record is complete and accurate, the examiner should place the indication, "Interview Record OK" on the paper recording the substance of the interview along with the date and the examiner's initials.